AN

ANSWER

TOTHE

QUESTION,

Where are your Arguments against, what you call, Lewdness, if you make no use of the BIBLE?



LONDON:

Printed for R. and J. Dodsley, at Tully's Head, in Pallmall; and J. Whiston and B. White, at Boyle's Head, in Fleet-street.

M.DCC.LV.



at you cally the

ERRATA.

Page 22, Notes, l. 1. οςγγομένες l. οςγίζομενες 23, Notes, l. 7. λοπεν l. λυπεν 25, Notes, l. 4. γυνη αμφ. l. γυνη αμφ. 43, Notes, l. 2. equoreum l. aequoreum Ibid.—— l. 3. fuiras l. furias

V. J. G. VI.

and the second



PREFACE.

HAT there is a fashion in morals, as well as in dress, phrase, or furniture, a very little knowlege of the world suffices to convince us.

IF, in the age of chivalry, nothing could be a more gallant part, than to protect the fair, to be the guard of their virtue, to hazard life, in opposing any attempt upon their chaftity; the notion of gallantry is, now, strangely altered, is, at present, quite the reverse. The man of mode, in our age, is he, whom the poor damoiselles have most to dread, who is busied, not in removing, but in contriving their distress. His chief endeavour is,

That youth seduc'd from friends and same, May give up age to want and shame. Prior.

A 2

I am

I am thoroughly fensible, what may be apprehended by an opposition to a practice, which has so many to countenance it; what ridicule it will meet with from some, and how severe a censure from others.

It is with our writings, as with our manners; they will be the dislike of those, of whom they seem to be the reproach. Whether we are desirous to act, or to inculcate a right part, we may expect to seel their resentment, who regard themselves as, in general, condemned, by whatever expresses our sentiments, that their conduct ought, in any instance, to be avoided.

Bur malice and obloquy must discourage none, who will consult truth and duty. If our concern for these doth us the greatest honour, and secures us the noblest reward, we may well believe, that there are difficulties to which it will subject us, and such difficulties we may well bear.

THEY

THEY who by their practice have not corrupted their judgment, and who are not determined against feeing what is wrong, by being habituated to it, will, perhaps, find in what is here offered enough to fatiffy them, that foft terms are, too frequently, applied, where the harshest are deserved; that what is often treated as matter of jest and laughter, has every circumstance attending it, which ought to place it among the blackest crimes: And if I may hope, that the publication of this piece will produce so good an effect; I shall have no mean support, whatever rallery I may encounter from any the most ingenious gentlemen, that have come out of the school of Mrs ----

It may be no improper introduction to the contents of the following sheets to make this remark, That there cannot be a more powerful disfussive from lewdness, than what what may be deduced from the best

The bistory of Lewdness would, I am persuaded, be sound as tragical, as any that hath ever employed the pens of the learned. What misery would it describe, derived from this vice to individuals, to samilies, to neighbourhoods, to nations! and from how many ages backwards would its account of this misery begin! *

For woman, long ere Helen's fatal charms, Destructive woman! set the world in arms.

Fran.

What scenes would it exhibit of inhumanity, of the most shocking trea-

chery and cruelty!

How many of one fex would it represent, deprived of all the comforts of life; losing their fenses with their virtue; driven by their perjured corrupters into the deepest melancholy,

^{*} Fuit ante Helenam mulier teterrima belli Causa: Hor.

[vii]

or the wildest frenzy; the murtherers of themselves, or of their offspring, or of both!

What numbers of the other would it recount, paying dear for their unbridled lust; stabbed or poisoned by the women they had deluded; or made victims to the refentment of the injured relations of those unhappy persons; or falling by the swords of rival lovers!

What a detail would it give of bitter revenge, handed down from father to son, and not ending but in the utter ruin of the families of the deceiver, or the deceived!

What multitudes would it enumerate, whom if violence spared, disease, the offspring of their lewdness, destroyed; their bodies, rotten at an age, when nature allotted them their sull strength, as offensive before death, as they could be after it!

How confiderable a part of our species would it present to us, born with

with a weak or differenced frame, wretched from their entrance into the world, until their departure out of it; and this, wholly, from the loose their parents had given to their libidinous desires!

In a word, what clear proof would it afford, that we cannot, by any wrong conduct, render our condition in this world more miserable,

than by our lewdness!

One thing I cannot but add, in justice to some of our nation in high-eft life; and in charity to the many in lower, who guide themselves not by reason, but by example; by their example, who do not always set the most commendable; that, at present, better husbands, stricter observers of conjugal sidelity, cannot be found throughout the kingdom, than may be found among those, who hold the chief posts in it.



AN

ANSWER

Made soy TO'THE TO Isd svore

QUESTION,

Where are your Arguments against, what you call, Lewdness, if you make no use of the BIBLE?

SIR,

EWDNESS is so general a term, that the question leaves me in doubt, Whether you don't desire to know, where I could find dissuasives of any weight from Adultery, as well as Fornication, if I would not apply to the Bible for them?

B And

And fince it is thus uncertain, Whether you don't expect to hear by what arguments, independently of any which the Scripture furnishes, I would diffuade from Adultery; fince, likewise, the full conviction that Adultery is a crime, must, if you are as ready to be governed by conviction as you profess yourself, put you on your guard against whatever can lead to it, as I think, and shall hereafter endeavour to prove, that Fornication does; you shall,

FIRST, Have what occurs to me, under the restrictions you propose, against Adul-

tery.

The happiness that mutual affection gives to a married state, is the greatest we can find in it, and, perhaps, is short of none that we have to expect, upon earth, from any thing without us. Adultery, therefore, as it is necessarily inconsistent with such affection, must be considered as excluding from matrimony the most rational inducement to contract it—as depriving it of what alone can prevent its being burthensom, and relieve its cares.

Non is this crime only to be charg'd with lessening the happiness of the married pair,

but

but with occasioning, frequently, the feverest distress to the innocent party. What uneafiness ensues, when love is requited with indifference, is clearly feen in the effeets of jealoufy; than which paffion none more violently transports us - none carries us to more daring and desperate attempts. And if the bare suspicion, that our tenderness has met with an unfuitable return, can thus affect us, it is obvious what is likely to follow upon the certainty thereof; that all true enjoyment of ourselves will be at an end—that the wound we have received will admit of no cure—that death will appear more defirable than the miferable remainder of fuch a life.

WHERE the injustice done is not thus refented—where indifference can be repaid with indifference; yet how deplorable may be the event—how many may be, in all probability, the bad consequences?

Your falsehood may be thought to warrant a reciprocal falsehood, and all will agree, that it is some excuse for it. Should this ensue, how wretched must be the education of the children of such parents! or what care could be taken of their educa-

B 2

tion,

tion, that would not be defeated by fuch examples? In what disorder must a family be, under fuch heads of it? What regard could fuch persons have to each other's peace, or credit, or interest, or fafety? Suppose a sense of duty operating so far on the injured fide, as to prevent a return of the wrong done, in the way in which it was done; yet is it very much to be feared, that all refentment would not be so calmed, all chagrin for fuch base treatment would not be fo diffipated, as that your quiet would be entirely confulted, and no share left you of the uneafiness you occasion. In which case, the satisfaction you could not have at home, you would be tempted to feek abroad, in the company of those who are as bad as yourfelf, to your family's and your own utter undoing.

Some few tempers, I grant, there are, proof against the worst usage: Were the person you wrong of such a temper, by how much it would lessen the bad effects of your crime, so much it would heighten the basens of it. How shocking must it be to have you false to one who deserves so well from you—who has your quiet thus

at heart—who, by all the vexation the feels from your conduct, cannot be induced to give you any?

THESE are confiderations which equally affect both fexes; there are others peculiarly applicable to each.

ADULTERY may be regarded as highly criminal in the man, not only on the abovementioned accounts, but also as it is, generally, attended, either with the waste of what should be a provision for his children. or with an unfuitable maintenance of them: with fuch a maintenance of them, as fuits not his business or estate, and as, perhaps, is fo fcanty, that it tempts them to the mean or dishonest actions, which they would otherwise have abhorred. That the unlawful object of our affections may have whatever her extravagance can prompt her to ask, we often neither regard our own future support, nor the present one of those who deserve the best from us, and are wholly dependent upon us: We begin with denying them the conveniences of life, and both they and ourselves come, at length, to want its necessaries, or, at least, to pro-

guern oils align still be flore longs.

care them by fuch means as are most dif-

gusting to ingenuous minds, way more alees

SEE, further, how criminal Adultery on the man's fide must be thought, from the privileges it to groffy abuses. She who enters into the married state with you, puts you into the immediate possession of her fortune and her liberty, the has, from that moment, little or nothing the can call her own; you remove her, to what distance you please, from all her friends and relations; you fix her abode, and you thence may be faid to chuse her company: What fhare of the conveniencies of life the shall erriov, you direct: Mortify her ever fo truch in these inflances, the has no refort: let who will be disposed to receive her, none must do it; her very nearest relation is not allowed to shelter her from your tyranny: Your worft humours the must bear, and is, even by law, subjected to a treatment from you, which, a man of any generofity is unwilling to think legal. What then must be accounted, who is false to the person that submits herself to fuch fevere restraints for his fake? How aggravated must be his guilt who wrongs, in the most affecting manner *, her, that, upon considence of his sidelity, puts into his power every degree of happiness she has to expect in this life, except what her innocence can give her?

AGAIN, the man claiming a Capacity for far superior to the woman's-a Reason so much stronger, as to entitle him to her subjection and obedience, and the allowing his claim; by his fenfe of things her's will, probably, be directed: And as his actions are the furest proof of that fense, it is natural to think that the thould have no small inducement to imitate them. Let the bufband, therefore, judge himself under no restraint from that relation-not confined by it to the person to whom he bears it; is not this to teach her equally loofe notions of her duty? Does it not put her under the strongest temptations to give her inclinations their scope +? You'll find, perhaps,

[•] In uxorem gravissimum genus injuriæ, habere pellicem. Sen. Ep. 95.

[†] One of the antients has observed, " That as a " prince, when a lover of music, makes many musi-

[&]quot; cians—when a lover of learning, makes many learn-

[&]quot; ed men, &c. fo if the husband give a loose to his

very weighty reasons for the constancy of your fpouse, which hold not for your's. But may not she, in her turn, plead, That the contract was mutual *. - That her promise went no farther than your's-That the only promifed fidelity, because the had it, at the same time, promised to her, and depended upon the punctual performance of that promise-That if you would have her to weigh inconveniencies, your superior understanding should first shew itself regarding them; you should not expect that the should have more governable inclinations than yourfelf, when your claim to an authority over her is founded upon the very supposition, that she is a weak creature, far less able than you are to reason and act

[&]quot; voluptuous desires, he will induce his wife to do the fame by hers; if he will be a good and worthy man,

[&]quot;he will make her a modest and orderly woman."
And afterwards he says, "To restrain a wife from those pleasures, which we ourselves take, is like re-

[&]quot; quiring her to oppose the enemy, to whom we have

[&]quot; fubmitted." Plut. præc. conj.

^{*} Scis improbum esse, qui ab uxore pudicitiam exigit, ipse alienarum corruptor uxorum. Scis ut illi nil cum adultero, sic nihil tibi esse debere cum pellice. Sen. Ep. 94.

rightly. I don't affirm that such excuses are justifiable, but they, surely, are plausible: A woman may be deceived by them, and they occur to every woman who wants them. And where I ought to be the pattern—where I have large privileges allowed me for being a fit one—where my failure is so strong a temptation to a like in her—where there would have been no failure but on account of mine, I cannot but be in a great measure chargeable with whatever mischief arises from the imitation of my example *.

How Adultery is to be regarded on the woman's part will be evident, if we confider, First, what infamy accrues hence to the husband. Howsoever unreasonable it may be, that the faults of any should fix disgrace even upon those who detest them—who, as the most injured by them, must be the most grieved for, and the most folicitous to prevent them; yet we are all

^{*} Iudex Adulterii ante oculos habere debet, & inquirere, an maritus pudicè vivens, mulieri quoque bonos mores colendi auctor fuerit. Periniquum enim videtur esse, ut pudicitiam vir ab uxore exigat, quam ipse non exhibeat. Digest. L. xlviii. Tit. 5.

fenfible, that it happens thus in the present Since, therefore, the wife is, by all the ties of honour and conscience, obliged to have the husband's credit entirely at heart-fince she ought, more than any other, to confult it; her blame must be extremely great for leffening it-for bringing him into derifion and contempt. But this is the smallest part of the accusation. For, fecondly, supposing the woman's Adultery fuspected, as the husband cannot tell which of his reputed children juftly call him their parent, his doubts may extend to them all, and he be thereby induced alike to difregard them all-to waste his estate, and deprive even those, who are really his, both of that education and provision for their future subsistence, which he would otherwise have been most careful to When, thirdly, the woafford them. man's Adultery is unsuspected; sometimes, the children lawfully begotten are very meanly provided for; while they, who were unlawfully fo, share those possessions. which would have been a most comfortable maintenance, had the whole of them descended to the just claimants-sometimes, the very expence of educating an adulterous brood incapacitates us for making any provision for our own offspring—fometimes, the fon or daughter of another fo far engages the reputed parent's affection, that he bestows a liberal education on him or her, while his real children are utterly neglected, and left to those fad shifts, to which persons so neglected may be thought likely to recur—sometimes, a large estate passes from the true heir, and he is left entirely destitute. In all these cases, the most shocking injustice is committed, injustice, the dreadful effects of which none can fore-see.

HITHERTO we have been confined to the family of the guilty; let us now go out of it, and observe how much the public is hurt by an adulterous intercourse. Attend to the compact of which it is a breach, and you must think, that if it bind not, none whatsoever is likely to keep its hold upon us. For, what can engage our strict regard to a compact—what can be conceived most likely to prevent the breach of it? This, I should apprehend, would be a concurrence of the following particulars—

C 2

Its

Its being the free and unconstrained act of each party-its being entered into at a time of life, when its obligation may be fully understood, and duly considered—the deliberation with which it is made—the folemnity observed in making it—the hurt accruing from the violation of it-the advantages received from its being duly obferved. All these particulars no-where more remarkably concur than in the mar-It is, at least with riage-agreement. us of this nation, very unufual for parents to marry a child contrary to his or her inclination—the marriage contract is. among us, feldom made 'til both fides are of an age to understand and consider its force it is, for the most part, made upon mature confideration, and not 'til after the frequent intercourse of the contracting parties-all the awe that the rites of religion can give on any occasion, is excited by the form with which matrimony is folemnized—a difregard to the fidelity then promifed may be ruinous to our health, and will, very probably, be greatly prejudicial to our peace, to our credit, to our fortune, to our posterity-nothing can contribute

fribute more to heighten the relish of profperity, or support our spirits under adverfity; nothing can contribute more to the ease and satisfaction of life, to the attainment of many conveniencies, and to the full enjoyment of them when attained, than the strictest regard of the married pair to their respective stipulations.

IF, then, the marriage contract has every thing in it, that ought to make it inviolable; all the instances of the violation thereof are, certainly, so many encouragements to the breach of other contracts, and, consequently, have a direct tendency to destroy all that trust and considence in each other, by which society is upheld *.

AGAIN, as marriage is the feminary of

^{*} If the most express and solemn contracts, upon which persons, when they marry, do so far depend, as, in considence of their being religiously observed, to alter quite their condition, begin a new thread of life, and risque all their fortune and happiness: I say, if such facred compacts as these are allowed to be broken, there is an end of all faith; the obligation of Oaths (not more binding than marriage vows) ceases; no justice can be administred; and then what a diresul influence must this have upon the affairs of mankind, &c. Religion of Nat: delin. p. 158.

the commonwealth +, whatever difinclines us to enter into that state, must be highly to the detriment of the public; for hereby a people will be confiderably lessened in its numbers, and, of consequence, less flourishing and secure. But where the violation of the marriage bed loses its criminal appearance, a fingle life is fure to be the choice of many, who would not otherwise have thought of it. They who can command themselves will not care to take a partner, for whose fidelity they have so little chance, as the prevailing corruption gives them: and they whose defires are more refractory, when they find theigratification of them fo eafy in an unlawful way, will not expose themselves to the inconveniencies they every-where see attending it in a lawful.

Thus, while conjugal chastity was strictly observed among the Romans, they wanted no encouragement to wedlock, but the satisfaction which that state afforded; whereas, when Adultery was frequent among

⁺ Prima Societas in ipfo conjugio est: proxima in liberis: de inde una domus, communia omnia. Id autem est principium urbis, & quasi seminarium reipublicæ. Tull. de Off. l. i.

them, the difinclination to matrimony became so general as to require the aid of laws to remedy it *; nor was it thought sufficient to enact such, as gave extraordinary privileges to the married +, without inflicting, at the same time, penalties upon all men who continued in a single state ‡.

Bur were not Adultery highly prejudicial to a country, by rendering it much less po-

• O δ' Αυγεςος—τοις τε αγαμοις κ ταις ανανδροις. Βαρυτερα τα επίλιμια επεταξε, κ εμπαλιν τε τε γαμε και της παιδοποιίας αθλα έθηκεν. Dio. His. Rom. L. Liv.

Sub Octaviano Cæsare suffecti Consules Papius & Poppæus legem tulerunt, quæ a nominibus eorum appellatur Papia & Poppæa, continens Parentum præmia pro suscipiendis liberis. Isid. L. v. Or. c. 15.

† All magistrates were to take precedence according to their number of children; or a married man before a batchelor. In elections those candidates were to be preferred who had the most numerous offspring. Any person might stand sooner than ordinary for an office, if he had as many children, as he wanted years to be capable of bearing such an office. Whoever in the city had three children, in the other parts of Italy sour, and in the provinces sive, or, as some say, seven, should be excused from all troublesom offices in the place where he lived.

† The chief of these penalties was—That unmarried persons should be incapable of receiving any legacy or inheritance by will, unless from their near relations. Ken. Rom. Antiq.

pulous,

pulous, and, of course, in a much worse condition to defend itself, than it would, otherwise, have been; could we, I say, suppose such mischief not to be the result of Adultery, yet will it appear greatly detrimental to the prosperity of any kingdom, from the domestic disorders which I have already taken notice of as occasioned by it. A nation is but a large number of families, and therefore its condition must be as theirs is: the misconduct and irregularities in the latter, have a necessary influence on the welfare of the former. Bad œconomy-Servants tempted to give a loofe to their worst defires, from observing the same thing done by their fuperiors, by those who should best know whether it is right or wrong, and how far it is so-Children either without any education, or with fuch as tends but to increase their natural depravity, or with examples before them, that must defeat the effects of the best instruction they can receive; these inconveniencies can no more spread themselves in the lesser bodies that compose a nation, and the nation itself remain unhurt; than the foot or hand can be in a gangreened state, and the heart and head

head long continue in a found state. And these are, undeniably, the inconveniencies that commonly attend an adulterous intercourse; it is, often, attended with all of them, and, perhaps, ever with more or fewer of them.

Non should you flatter yourself, as having, by your diferetion, by your exact caution, avoided most of the bad effects with which Adultery is chargeable, and thereby rendered it, at worst, a very venial crime. That prudence, which taught you how wary you should be in thus gratifying your inclinations, must have sufficed for your fullest information how wholly you should have forborn it; and if you are so far less guilty, as you cannot be charged with the feveral bad confequences that usually attend the liberties you have taken; in another respect your guilt is highly aggravated; endued with fuch superior prudence, You were better able than others to refift all fort of temptation to those liberties; You must have clearly perceived that your most cautious measures would not be unsuspected, and that they could induce few or none to imitate you in your crime, who were likely

to imitate you in your caution; Tou very well knew, that when we give the rein to our luft, we cannot check it when we please; and that it is here as it is in other wrong actions, we cannot fix how far our guilt shall extend; so that if no great mifchief proceeded from the part you acted, you should chiefly regard it as your uncommon good fortune; You could not but know, that our judgment of any action is to be form'd upon its ordinary effects; and that, if these are hurtful, we ought to forbear it, howfoever qualified we may think ourselves to prevent them: In a word, You could not but know that your action was injurious, was an injury which you should, in the highest manner, resent, if done to yourfelf; and when fuch wrong has been done, you, furely, can think it very little alleviated by having been managed with an extraordinary fecrecy, and with fewer inconveniences than what generally attend it.

THAT I may not be wanting in any endeavour towards your feeing Adultery in the light in which I could wish that it might appear to you; I will, to what has been already already observed, add the sentiments concerning it of some of those persons, who, having only natural reason to guide them, claim our special regard for their eminent knowledge and wisdom; and, likewise, what sense of it has been entertained by the lawgivers — by them who no farther considered it than as affecting the good of society.

The Master of a family should, if Pythagoras may be heard, by his wise government of it, shew how fit he is for the discharge of any other trust.—The Husband should be particularly careful to remain constant to his wise; he should not know any other woman; he should not by a neglect of his wise, or by any had conduct, be the cause of her bringing him a spurious issue.—A Woman is to love her husband, more than her parents; if she is false to him, she is not to think, that any prayer she can offer, will be acceptable to heaven *.

PLATO

^{*} The idian oinian election ointhem, we the a azopan exercise the apparence es excient averagens.

Σπεδαζεν δε και τετο, οπως αυτοι τε μονας εκενας ειδησώτιν αι τε γυναικες μη νοθευσωσι το γενών ολιγιφια και κακια των συνοικενθών,

PLATO confiders Laws regulating Marriages, as requisite to be, in the first place, enacted in every state; he would have Adultery punished with infamy; and the man who commits it, made incapable of bearing

any office in the common-wealth + ..

In Aristotle's Morals, we find Adultery in company with thest, poisoning, salsewitness ‡. In his Occonomics, he represents the wife injured by her husband, when he has any commerce with other women ||. In his Politics, he speaks of Adultery, as utterly disallowable §.

Μαλλον αγαπαδαι τυς γεγαμηκοτας, η τυς τεκνφσαν-

Ως από μεν τε συνοικεντώ ανθρός οσίον ες εν αυθημέρος προσιεναι τοις ιεροις από δε τε μη προσηκόντος, εδεπότε.

Jamblic de vit. Pythag.

† Γαμικοι δε νομοι πρωτοι κινδυγυεσι τιθεμενοι, καλως αν τιθεδαι προς ορθοτητα παση πολει. Plat. de leg. L. iv.

Μηθενα τολμαν μηθενος απεραι των γμαιων αμα και ελευθερων, πλην γαμετης εαυθε γυναικος, αθυτα δε παλλακων σπερμαθα και νοθα μη σπαιχεν, &c.

Tax' av atimor aulor two er to model emairer romodetarles, opdes ar dogainer romodeler, es orles orla gerixor, de leg. L. viii.

‡ Клотп, иогхна, фадианна, проаумуна, былапана, болофота, фенборартирга. Arist. de moribus, L. viji.

Adunia ardpos, as Jupa e oursonas yeroperas. de adm.

र् पिश्व के पार जावा बर्गाम म जावा बर्गाम इडक प्रथा वज्या कर

ISOCRATES, his cotemporary, expresses himself thus-" All men have the greatest concern for their children and their wives. " and are in the highest manner displeased " with fuch as have dishonoured them. " Hence the blood of numbers has been " fhed; nor has it cost only private perfons, but even Princes, their lives." And a little after-" I could not but condemn " their great wickedness, who, having con-" tracted marriage, were unmindful of " the obligations, under which that con-" tract laid them ;-grieving, by the liber-" ties they took, those, by whom they ex-" pected their own ease should be through-" out confulted; and, at the fame time, " that they duly observed their other con-" tracts, paying no fuch regard to their " matrimonial, tho' of fo much nearer con-" cern, and greater importance, than any " other *."

THE

μη καλον απίομενον φαινεθαι μηθαμη μηθαμως, οταν η και προσαγορευθη ποσις περι δε τον χρονον τον της τεκνοποιιας, εαν τις φαινηθαι τοι κτον τι δρων, ατιμια ζημικθω πρεπουση προς την αμαρίαν. de rep. L vii.

* Ειδως γαρ, απανίας ανθρωπες περι πλεις ποιεμενες τες παιβας τες εαυίων, και τας γυναικας, και μαλιτα

THE language of Epicurus himself was,

"That a wife man would never be con-

" cerned with that woman, whom the

" laws forbad him to approach *."

ANOTHER of the Gentile Sages hath these terms—" Some persumes, they say, "quite distract a cat: Were a woman to be in like manner affected, it would be very wrong in her husband, for the little pleasure they might give him, to distregard what she thus suffer'd from them: And when it is not from the persumes he uses, but the women to whom he resorts, that such distress is occasioned his wife; it, certainly, is unjust in him, for the little pleasure he will, in that way, re-

οργομενες τοις ως ταυία εξαμαςτανεσι, και την υβριν την περι ταυία μεγιτων κακων αιτιαν γιγνομενην, και πολλες ηθη των ιδιωτων, και των δυνας ευούων δια ταυίην απολλυμενες.

ETI δε και των τοιουτων πολλην καμιαν καθεγιγνωσκον στοι γυναικας λαβονθες, και κοινωνιαν ποιησαμενοι παντος τε βιε, μη εεργωσιν οις επραξαν αλλα τεις αυθων ηδοναις λυπωσι ταυτας, υφ ων αυθοι μηδεν αξικσι λυπαδαι και περι μεν αλλας κοινωνιας τινες επιακας σφας αυθες περιεχωσιν εν δε ταις προς τας γυναικας εξαμαβανωσιν ας εδε τοσουτω μαλλον διαφυλατθαι, οσω περ οικαστερει και μαζες ουσαι τυγχανεσι των αλλων. Ifoc. Orat. ad Nicoc.

* Γυναικι ε μιγησέδαι τον σοφον η οι νομοι απαγορευεσην.

Diog, Laert L x.

" ceive.

" ceive, fo to grieve and disturb her; he

" should, rather, avoid all familiarity with

" the rest of the sex, and preserve towards

" her an inviolable constancy *."

Your favourite Horace, as many liberties as he allows and invites to, regards Adultery as the fource of the greatest evils that his country had suffer'd +; and particularly compliments Augustus on the success of his endeavours to suppress it ‡.

Among the Egyptians, the wisdom of whose laws has been so much commended,

* Τον αιλερον οδιπ μυρων εκταρατζεδαι και μαινεδαι λεγεσιν' εκ ετω τας γυναικας αγριαινείν και παραφρόνειν υπο μυρων συνεβαινε, δείνου τιν μιπ απεχεδαι μυρε τες ανδίρας, αλλα δι πδοντιν αυζων βραχεαι, ετω κακεμενας περιοραν. Επειτοινυν ταυζα παχεσιν ε μυριζομετων των ανδίρων, αλλα συγγινομενων εταιραις, αδικον ες τι πδοντις ενεκα μικρας, επι τοσετω λοπειν και συνζαραζεν τας γυναικας, και μπαγνες και καθαρευονζας εξερων συνεσικς, προσιεναι ταις γυναιζι. Plut. conjug præcept.

† Fœcunda culpæ secula, nuptias
Primum inquinavere, & genus, & domos.
Hoc sonte derivata clades
In patriam populumque fluxit. C. L. iii. O. 6.

Nullis polluitur casta domus stupris:
Mos & Lex maculosum edomuit nesas:
Laudantur simili prole puerperæ:
Culpam pæna premit comes.

C. L. iv. O. 5. ad Aug.

the Adulterer was foourged a thousand strokes, and the Adulteress had her nose cut off *.

Zaleucus, the Locrian legislator, enacted, that the Adulterer should have both his eyes put out +: And of the wisdom of this legislator, Strabo, out of Ephorus, has given a remarkable instance; telling us, that, before his time, the penalty of breaking any law being left to the discretion of the judges, He first expressed, in each law, what should be the punishment of the breach of it ‡.

THE Athenian law-giver, Solon, allow'd any one, who caught another in Adultery, to kill him §.

^{*} Τε μεν βεασαμενε γυναικα ελευθεραν προσετάξαν αποκοπθεδαι τα αιδοια, νομισαντες τον τειετον μια πραξει παρανομώ τρια τα μεγισα των κακών ενπργηκεναι, την υβριν, και την φθοραν, και την των τεκνών συγχυσην:
α δε τις πασας Μοιχευσαι, τον μεν ανδρα ραβδοις χιλιας πληγας λαμβανών εκελευον, της δε γυναικος ρινα κολοβωδαι. Diod. Sic. Bib. hift. L. i.

⁺ Ζαλευκος προσεταξε τον μοιχον αλούζα εκκοωζεθαι τες οφθαλμες. Ælian. Var. hif. L. xili. c. 24.

[‡] Epopos---- pnoiv ev tois apartois xaividai tov Zaheukov, oti tav apotepov tas Znuias tois dinasois ewitpe-farlav opigen ep enasois tois adinnuadiv, enemos ev tois volucis diapidev.

⁵ Morxov aveney To habove desousy. Plut.

Among the Romans, by the founder of their Empire, the husband and kindred of the Adulteress were licens'd to punish her in fuch manner as they thought proper *. By the Law of the twelve tables, an Adulterer, taken in the fact, might be flain +. How Adultery was punishable by the Iulian Law, the learned are not agreed; fome think it was by death, others by banishment, and that it was not punish'd capitally til the Emperors were Christians. We, however, read in one historian, that Augustus put to death a favourite freedman, for having been guilty of it +- In another, that burning was the general punishment for it under Macrinus ||. -In a third, that the most cruel death

^{*} Αμαρτανώσα δε τε, δικασην τον αδικωμένον ελαμβανές, και τω μεγεθώς της τεμωριας κυριον. ταυτά δε οι συγγενώς μετά τω ανδρός εδικαζόν εν οις ην φθορα σωματός, και—ει τις οινον ευρεθών πευσα γωνη αμφοτέρα γαρ ταυτά "ζημιών εκελευσέν ο Ρωμυλός. " The reading of the Vat. MS. is δανατώ ζημιών συνέχωρησεν. Dion. Halic. L. ii.

⁺ Moechum in adulterio deprehensum impune neeato. So Mr. Selden quotes this law; Ux. Heb. ch. 12.

[†] Proculum ex acceptissimis libertis mori coegit, compertum adulterare matronas. Suet.

Adulterii reos semper vivos simul incendit, junctis eorporibus. Jul. Capitol.

was inflicted, on its account, by the Em-

I won't refer you to the laws of any other people, for the manner in which they punished Adultery, tho' I could name feveral not less severe than those already mentioned. If you would know any thing further of this kind, your curiofity may, I suppose, be fully satisfy'd, by a book which I have more than once inquir'd after, but never yet met with, tho' I am told it is no scarce one. It's title you have at the bottom of this page +. All I shall add on the subject of Adultery is, that from the concurrence we find of distant nations of the wifest lawgivers-of the most eminent philosophers, in treating it as a crime the most heinous; we might fitly determine there was fufficient ground to believe it to be fuch, tho' we were not able to comprehend the force of the feveral arguments, in proof

Militem, qui Adulterium eum hospitis uxore commiserat, ita punivit, ut duarum arborum capita inflecteret, & ad pedes militis deligaret, eademque subito dimitteret, ut scissus ille utrinque penderet. Flav. Vopisc.

[†] Judicia (seu Legum censuræ) de variis incontinentiæ speciebus.

of its guilt, that natural reason furnishes; some of which I have endeavoured to set before you in their just strength.

My next task is to shew you by what arguments, exclusive of the authority of Scripture, the guilt of Fornication can be proved.

WHATEVER liberties might be allowable in a state of nature, a quite different conduct will be required of us when we are entered into fociety. We, certainly, are then obliged to avoid every thing that can defeat the purposes for which we are affociated. From the encouragement that all civilized nations have given to marriage, we must be induced to consider the public welfare as greatly promoted by it. But of this there can be no manner of doubt, when we reflect, That to it is owing, first, the certainty of our offspring, and, next, their due education. Both these particulars are of the greatest consequence to the common

On the certainty we have of our offspring depends all the care we take of them—all the pains we give ourselves to preserve them, to instruct them, to form their manners, to

E 2

provide them a comfortable maintenance,

or qualify them to gain it. I don't lo smol

If they are not well educated if they are untaught, unrestrained, have not their minds feafoned with good principles, and are not so brought up, as to know, either how rightly to employ the fortune they inherit, or by what bonest methods to procure a fubfiftence; they will be as miferable, as importunate appetites, ungovernable paffions, vice and diffress can make them: and the publick will fuffer as much from them, as it can do from fo many persons who have no notion of focial virtue-whose hufts are their laws—who, strangers to the arts that contribute to the prosperity of the community, have their rational powers only qualifying them to be more extensively As, therefore, the unmischievous *. licensed intercourse of the two sexes is an hindrance to marriage-indifpofes us, or causes us to be indifferent, towards it, and thereby contributes to render mankind less certain of their offspring, and less careful

Oran de nonwis un natabando yeurs Ordes, avayan dustunen tes enyones. Eurip.

of their education; it must be highly immoral and blameable.

THE nice proportion observable in the births of males and females is another argument for the strict confinement of one to one, which it is strange how any man of fense should overlook. God hereby clearly points out to us, for what restraint of our defires he defigned us, how much it is his will that we should not, like so many bulls and goats, give our lust its

range.

IT will, perhaps, be faid, that fuch a confinement of one to one may be obferved, without binding ourselves to it by the matrimonial contract. First, I would ask the man who says this, Whether our avoiding that contract which enforces fidelity to each other, is not a strong proof that we have no intention to observe such fidelity? And, whether every one who is fincerely resolved to observe it, would not use the most effectual check upon his licentious inclinations? I, in the next place, would add, That when we are confidering the duty of all, it is nothing to the purpose what will influence this or that particular

regard what will affect the generality of mankind—what is most likely to make the duty of all conformed to by all.

My promise to a woman to be true to her may be of as much force with me, as any tie by which the law of man or God could bind me. But can I think it would be the same with a whole neighbourhood, with a whole community. If it would not be fo, and no one, who has feen the leaft of the world, can think it would be, my part is, certainly, to fubmit to fuch a restraint as will hold universally, as will be a restraint on the rest of my kind: And it must be very guilty in me to take the liberty, in which if others should allow themfelves, that roving indulgence, fo contrary to the defign of nature, would foon pre-In the same way he might be answered, who would affert, That there might be a sufficient certainty of our offfpring, and a proper education of them, without our entering into a married state.

It might be so in a few instances, but undoubtedly, would not in the general;

what will influence this or that par-

Material

and

and all moral writers are agreed, that it is the general good we are to confult.

None of us can be ignorant how variable a thing inclination is; and, therefore, if we would judge impartially, we must acknowledge, that were it the sole rule for the constancy of any of either sex to one of the other, there could be very little dependance upon it.

THE marriage contract is the most folemn manner of the woman's pledging her fidelity to the man, and, upon that account, likely to keep her more faithful to him than the otherwise would be.

In all the civilized parts of the world marriage has been considered as the best security, that we shall not have the care of a father, where we bear not the relation of one; and that they, whom we are the means of bringing into the world, should be properly educated and provided for in it. He who will suppose that these things may be as well effected without the matrimonial bond, must determine contrary to the judgment of the wisest part of mankind in all ages and countries.

parlon

It is a fact daily coming under our notice, That a bastard issue is in the grossest manner neglected—lest to the public for its support—lest to those to maintain, who are not barely indifferent what becomes of it, but who had much rather hear of the loss, than the continuance, of its life. But to proceed.

THE obligation we are under to confult our own health, and the health of our offfpring, furnishes another argument, of the greatest weight, against the species of Lewdnefs, from which I am now diffusding. 'Tis notorious how much our constitutions are hence injured what numbers are hereby cut off in the prime of their age-how few among the lewd attain the years for which their natural vigour fitted them; and, when an advanced age is attained by any of them, how uneasy it is made thro' the maladies derived from their past mifconduct. Nor are the fufferings of the offenders confined to their own persons; their children share them; bring into the world a distempered or weak frame, and have it, throughout their life, their confant tormentor. Should this or that person

[133]

person defend the roving of his luft, as une attended with these inconveniences, I must recur to the observation just now made. That, as to our practice in any instance, we are to confider its ordinary confequenceswhat its probable influence will be-what will enfue were our example to spread itself, were the many to act upon our principle, who will not act with our wariness and caution.

THE woman with whom you would be familiar may be confidered, either as having hitherto preserved her chastity, or as having

which is the only reftraint of the batuifford To corrupt a woman is a crime, than which there is not, perhaps, any more heinous; it is a crime which may justly rank the man who commits it among the worst of villains, as the injury done by it is of the worst kind, and is done under circumstances that in the highest manner aggravate it. The heaviest wrong it may truly be accounted, as fure to make the poor creature who fuffers it more or less unhappy thro' the whole of her future life-It is the most effectual hindrance to her being ever advantageoully fettled in the world

-It entails upon her dishonour and infamy; occasions her to be deserted by every friend the has of character and worth, to be shunned by all whose acquaintance can profit or credit her; and if she will converse, it must be with those who are as bad as herfelf, and who will be fure to confirm her in, or even to increase her guilt.-It often forces her into difficulties, for the removal of which she is under the strongest temptations to actions that her nature most abhors-It destroys that sense of shame, which, if once loft, is never recovered, and which is the only restraint of the ignorant and uneducated, from the commission of any crimes that the law punishes not. By corrupting a woman's principles, or destroying that sense of shame which is to her instead of principles, you prepare her even for the crimes that deserve, and on which the law inflicts, the very feverest punishment.

THE circumstances, that highly aggravate the wrong thus done, are, That it is done towards one who has a claim to our protection, whose lesser discernment ought to be directed by our superior—That it is done towards one who relies upon us. who prefers us to all the rest of our kind-That it is done under the most solemn professions of affection and friendship, under a pretence of the fincerest and most constant love. This injury is still heightened, as it extends to the family of the feduced person. Her relations share her difhonour, them it lessens, it grieves; they not only lose that comfort, credit, and advantage which they might have found, had the deluded woman kept her virtue, but they are exposed to suspicions and misrepresentations which may prove greatly to their prejudice; and they, fometimes, have their whole lives embittered by the miscarriage of her, on whom their care had been laid out, and whose happy settlement was the end of all their earthly hopes and wishes.

EVEN among the most profligate, 'tis certain, very few can be found, who would not resent the corrupting a daughter or a sister, as the utmost indignity that could be offered them, as an injury not to be repaired. Lay the whole of this together—the mischief done the woman by her

F 2

corruptor—the claim she has to his protection—the methods he takes to deceive her—the hurt he does, and the grief he occasions, often, to a large family; and see, whether a cut-purse and highway-man are not almost saints, if compar'd with bim? whether perjury and murther can well be attended with a more complicated guilt?

Supposing that you feek after fuch women alone, on whom temptation has already taken effect - whose honour has surrendered to it: Can any thing be more evident, than the guilt, may not I fay, the great guilt-of hardening those wretches in their impudence-of giving them an encouragement, which is the likeliest method to increase their numbers—of influencing them to continue in a course that must so grievously afflict all, of any worth, who bear a relation to them—of countenancing fuch, from whose artifices the health and the fortunes of the young have the worlt to fear-of supporting the pelts of fociety, those, who are the causes of the greatest disorders it has to lament, who, as they are examples of immodesty, laziness, and the utmost extravagance, to their own fex;

fex; so are they, with respect to ours, the tempters to most of the frauds, the rabbenies, and munthers, committed by it?

WERE I to dissuade a woman from yielding to the infinuations of the man that would corrupt her, I should, to such of the preceding observations as might be applied to this purpose, add,

FIRST, That from the concern express'd in every family for the chastity of its female relations, they all must plainly see, that in very duty and gratitude towards those who have deserved the best from them, the preservation of their chastity ought to be their peculiar care:

SECONDLY, That modesty is the woman's principal recommendation: And, whether she is in high life or in low, no quality gains her more regard *; the best and the worst of men joining in the esteem of her, whose honour no solicitations can corrupt:

THIRDLY, That she whose chastity is lost, is not only shunned by all the worthy

Eurip. Hippol.

^{* —} Το σωφρον ως απανίαχε καλον Kαι δοξαν εθλην εν βροτοις κομίζεται.

part of both sexes, but finds no regard from the less virtuous of ours, except what they express towards her, either to serve their interest, or to gratify their lust: her very corruptor, he to whom she has sacrificed what she had of greatest price, is, usually, found treating her, at length, with indifference, and sometimes with abborrence:

FOURTHLY, That the departure of a woman from chaftity is one of those crimes, the single act of which denominates the offender a vitious person. In the vulgar phrase, she who has been once a whore is always one, as one act of murther makes the murtherer; repentance may expiate her guilt, but its stain is not to be removed; the infamy of it will attend her to her grave. And this will appear a less hard treatment, if we consider,

FIFTHLY, That modesty is, in a woman, the chief security of her good behaviour in every instance—that any deviation from it prepares her for a still farther, 'til she comes, at length, to those profligate manners, which are her certain, utter ruin:

SIXTHLY,

tries have agreed in stigmatizing the harlot: She has found this treatment not only among Christians, but in the wifest heathen nations: even while they have tolerated her, for the better security of the marriage-bed, they have mark'd her out as a vile, infamous person, and obliged her to appear in a dress different from that of the reputable part of the sex.

I said at my entrance on this subject, that I considered Fornication as leading to Adultery, and that if you have, or could be brought to, a just abhorrence of the latter, you, certainly, would avoid the former. Why I think thus you shall now be informed.

THE moralists have long since observed, how close the connexion is between guilt in the inclination and in the act—what the gradations are in guilt—how insensible the transition is from smaller offences to much greater—that none are at once very bad, but become so by passing from what is less, to what is more culpable. Allow in yourself any wrong inclination, you are then disposed to consider it under every circumstance

[40]

stance favourable to it. By your thus favouring it, whatever can make it appear excusable will be continually in your thoughts, and that which is blamcable in it you feldom will attend to, and thereby, at length, quite overlook, The wrong inclination being frengthened by fuch partiality to whatever can represent it, either as quite defensible, or as very pardonable; the next step, naturally, is to comply with and gratify it was When reason is weakaned by one defeat, it more eafily receives a fecond, and the oftner it has yielded to passion and inclination, the less able it of course becomes to withstand them * 'til at last its weakness grows such, that we do not refift the flightest temptations to the proffest crimes. Into these crimes we fall not at once, because we cannot at once divest ourselves of fear and shame; but this tho' we cannot do instantly, we may gradually; and the first advance to it, is

Quisquis in primo obstitit
Pepulitque amorem, tutus ac victor suit:
Qui blandiendo dulce nutrivit malum,
Sero reculat ferre, quod subiit, jugum.
Senec. Hippoli

Cance

to be less scrupulous about our thoughts, to have less in abhorrence whatever has any connection with the actions that we ought to be asbamed and asraid of.

mYou must, I should apprehend, admit, that the perfectly continent has the advantage of the incontinent-that one would wish rather to be the man who entirely commands his luft, than him who has it not under any fuch reftraint that there may be inconveniences attending its gratification in the way you vindicate, and that there is no one who does thus gratify it, but is liable to them. If then, under such conviction, you go fome lengths of incontinence, ought you not to think that you thereby expose yourfelf to be drawn into yet greater #? No you'l fay, I fee guilt and inconveniences in these, that I don't perceive in the other. But it is obvious to all, that there are incon-

Tuf. Quæf. L. iv.

^{*} Qui modum vitio quærit, similiter facit, ut si posse putet eum, qui se a Leucade præcipitaverit, sustinere se, cum velit. Ut enim id non potest: sic animus perturbatus, & incitatus, nec cohibere se potest, nec, quo loco vult; insistere omnino: quæque crescentia perniciosa sunt, eadem sunt vitiosa nascentia.

veniencies in those other, and, I would hope, that I have proved them not wbolly without guilt Let this guilt, and these inconveniences be of a slighter nature; yet if you could subject yourself to them, when your reason and conscience were in the best condition to guard you from them, you, affuredly, will not withftand the allurement to what has greater inconveniences, and greater guilt attending it, when your reason and conscience are in no such condition to fecure you - when the confiderations of prudence and duty have already given way to your lust-when it has experienced the vain refistance they can make, by having been an over-match for them.

Besides, it will often happen, that the greater crime must appear attended with sewer present inconveniences — with less expence to you—with less hazard both of your health and reputation: If then your lust urges you to its gratification, and you find an opportunity for it so inviting—so without any bad consequence to yourself, that you can, perhaps, ever in this world apprehend; the guilt of the action may very reasonably be supposed likely to be

over-looked by you: I may justly believe. that the instant pleasure, and, seemingly. remote danger from it will hinder you. either from regarding the action as at all faulty, or from confidering the degree in which it is fo. In your cooler hours you may, I grant, eafily difcern, with what different degrees of guilt your impure defires may be gratify'd; but this you will not do, when those desires are raisedwhen they are preffing-when the object that inflames them is at hand-when the minute is favourable, to the full of your You must know yourself very wishes. little, if you can suppose, that in such a fituation, you shall retain your scruples. No. Sir, Luft indulged will not be reasoned with. A fiercer affection the mind of man knows not *. To expect that you can give it a loofe

* Omne adeo genus in terris hominumque ferarumque,

Et genus equoreum, pecudes, pictæque volucres,
In fuiras ignemque ruunt: amor omnibus idem.

Georg. Lib. iii. 242, &c.,

Quid Juvenis, magnum cui versat in offibus ignem

Durus amor? nempe abruptis turbata procellis

loose only to such a certain point, is as romantic, as to imagine that you may give way to your anger, without transgressing the limits that prudence would prescribe to it.

I have given you the sense of some of those heathen Legislators and Philosophers, whose authority is of greatest weight with you, on an adulterous intercourse; and shall now add their thoughts on that species of Lewdness which I have been last censuring.

By a law of Solon, which made it infamous for any not to maintain their parents, the fons of harlots were exempted from the maintenance of their fathers *.

PLATO would have it to be appointed by law—That whoever is concerned with any woman, but his lawful wife, shall be in-

Nocte natat cæca serus freta: quem super ingens Porta tonat cœli, & scopulis illisa reclamant Aequora; nec miseri possunt revocare parentes, Nec moritura super crudeli funere virgo. Ibid. 258. &c.

* To unde tois et etaipas y evolutions emaragnes ewai res malepas трефен.

famous,

famous, and incapable of bearing an office in the commonwealth *.

EFIGURUS'S language is most unfavourable to the unlicensed gratification of Lust, passing this censure upon it — "That'it can never profit, and it is very well if it does not hurt +."

EPICTETUS speaks of it, as incumbent upon us to have no commerce with women, before marriage ‡.

ACCORDING to Musonius—The intercourse of the sexes which is not according to law, tho it be not adulterous, is yet, universally, reproachful, as it proceeds from incontinence. Were the proper government of ourselves attended to, we should shun the harlot, whatever her condition was: familiarity with her is dishonest and base ||. Por-

^{*} Το δε γυναικών, ει τις συγγιγότιτο τινι, πλην ταις μεθα θεων και ιερών γαμών ελθεσαίς εις την ωκιαν—
ταχ ανατιμον αυθον των εν τη πολει επαινών νομοθετινθές, ορθως αν δοξαιμεν νομοθετικν, ως οντως ονθα ξενίκον. Plat.

[†] Συνκοιη δε ωνησε μεν κθεποτέ, αγαπηθον δε ει μη και εβλαψεν. Epicur.

[‡] Перь пороблята не бочания про удых надарентест. Epict.

[ि] Osai d'e (उपमक्तिश्रका) म्हारक्षक हरीन्ड भगवा महन्द नेमिलंबड भारत्म, ब्रह्माम्बर्धिया पर र्राश्किया स्वीय एवम्बर, स्वा वर्णीया मयहवा वास्कृता,

PORPHYRY says—That where the state has made no law against harlots, yet the infamy with which they are noted, would induce any man of a very moderate degree of virtue, to think it a reproach to resort to them *.

THE sentiments of Simplicius are—That to live chastly before marriage, besides its being advantageous on other accounts, is also in justice requisite on this—That the man should come to his wife as chaste, as he expects to find her +.

CAIUS Gracchus, in a speech to the Roman people, representing his behaviour, during his residence, as Questor, in Sardinia, says—" If any whore entred my "house, account me the most abandoned " of men."

aigpai, ai ye mpatforfai di anonamar we usta ye owppoourne, en ar etaipa monotager umoperes tie, et ar en en Depa yape xepie, oute ha dia Depamairn th aule: to yap hin rominor hind eumpemes ter oureoier teter, aix ye nai ored & meya tois Inpunerois aulas. Muson.

Ε σε εδ΄ εταιζαις ομιλείν απαγορεύει τοις πολλδις (nempe ο νομο ο πολιτικο) αλλα και πρατηομένο τας εταιρας το μιδωμα εσονειδίτον πρεξαι τοις μεθριοις ανδραπ, και αιχραν την προς ταύθας ομιλιαν. Porph.

† Το δε προ γαμε καθαρευαν χρησιμον και αλλως ες και δικαιον, ενα την της παρθενίας πις εν, ην ο ανηρ παρα της γυναικο απαία, και η γυνη παρα τε ανδρο ανίιλαμβανη. Simp.

ΤΗ Ε

[47]

THE penalties of the Julian law extended not only to an adulterous intercourse, but to an impure one with any single woman of liberal condition *.

WHAT is the acknowledgment of Horace himself?

Fuit bæc sapientia quondam Concubitu probibere vago.

AND if it cannot but feem most inhuman to tempt any to what will utterly destroy their credit, let Catullus be attended to;

Virgo, dun intacta manet, tum cara fuis, sed

Cum castum amisit, polluto corpore,

Nec pueris jucunda manet, nec cura puellis.

Car. Nup.

Lege Julia stupri sagitium punitur, cum quis, sine vi, vel virginem, vel viduam honeste viventem, stupraverit. Poenam autam eadem irrogat stupratoribus, si honesti sunt, publicationem partis dimidiæ bonorum; si humiles, corporis coercitionem cum relegatione. Institut. Lib. 4. Tit. 18.

Stuprum committit, qui liberam mulierem, consuetudinis causa, non matrimonii, retinet. Modestin.

belicannor conclude this, without observing to you, that, from a passage in one of Tully's letters, we may collect how indecent it feemed, even at a time when the manners of the Romans were most correct to let a whore appear at their tables in any good company. The letter is the last in the ninth book of his Epile. ad. familiares. and writ to Pœtus. Tully, mentioning therein, his being invited to fup walk Votunhius Eutrapelus, Tays, that Cyluris, Entrapelus's miftiefs, was one of the vani pany; fupposes, that this would greatly furl prize Petus, speaks of bimself, as not baving bad the least suspicion that she would have been there; then adds, that more of those things had ever pleased him, even when a young man, and, therefore; were not likely to do it now be was old.

Car. Nup.

Lege Julia Rupti Légitium punitur, cem quis, fine vi, vel virgincus, vel viduam honeile viventem, flupraverit. Boenam auto carem regat flupraturi-bus, si homeist lunt, publicationem partis dimidia honorum; si humiles, corporis coercitionem cum relegatione. Infiliat. Lib. 4. Tit. 18.

Stiefeles committit, qui la com mulicrem, cor sue, tudinis caufa, non mattimopil, retinet. Alledelius,